

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Atlantis Utility, Inc.
(U7413C) for Registration as an
Interexchange Carrier Telephone
Corporation Pursuant to the Provisions of
Public Utilities Code Section 1013.

Application 22-02-012

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding to February 11, 2024.

1. Background

On February 11, 2022, Atlantis Utility, Inc. (Atlantis), a corporation authorized to do business in California, submitted a simplified application for registration under Public Utilities Code (Pub. Util. Code) Section 1013, as an interexchange telephone corporation, authorized to provide resold interexchange services in California.

In its review of the application, Commission staff determined that Atlantis was not qualified to use the simplified registration process because it had been operating as an interconnected Voice over Internet Protocol (VoIP) provider in California since April 2021. Therefore, on June 30, 2022, the matter was reassigned to the Commission's Administrative Law Judge (ALJ) Division for evaluation under Pub. Util. Code Section 1001.

Pub. Util. Code Section 1701.5(a) provides that the Commission shall resolve the issues raised in the scoping memo of a ratesetting proceeding, within

18 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met and issues an order extending the deadline. The 18-month statutory deadline for resolving the instant application is August 11, 2023.

A prehearing conference was held on August 17, 2022, to determine the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter and address other matters, as necessary. There were no protests to the application.

The assigned Commissioner issued a Scoping Memorandum and Ruling (Scoping Memo) on December 7, 2022.

In Decision 22-10-021, issued October 20, 2022, the Commission determined that, effective April 1, 2023, all telephone corporations, including VoIP carriers or providers operating in California, are required to assess, collect and remit California Public Purpose Program surcharges pursuant to the access line flat rate surcharge mechanism.

Accordingly, on January 17, 2023, March 22, 2023, and June 23, 2023, the assigned ALJ issued rulings directing Atlantis Utility, Inc. to submit additional information to aid in evaluation of its application. Atlantis Utility, Inc. submitted the requested information, and the application was deemed submitted as of July 10, 2023.

An extension of the statutory deadline to February 11, 2024, is necessary to allow the assigned ALJ, the assigned Commissioner and Communications Division staff time to prepare and review a Proposed Decision and to ensure that the Commission has sufficient time thereafter to deliberate and to issue its final decision addressing the Proposed Decision.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

3. Assignment of Proceeding

John Reynolds is the assigned Commissioner and Patricia B. Miles is the assigned ALJs in this proceeding.

Findings of Fact

1. On February 11, 2022, Atlantis, a corporation authorized to do business in California, submitted a simplified application for registration under Pub. Util. Code Section 1013, as an interexchange telephone corporation, authorized to provide resold interexchange services in California.

2. In its review of the application, Commission staff determined that Atlantis was not qualified to use the simplified registration process because it had been operating as an interconnected Voice over Internet Protocol (VoIP) provider in California since April 2021. Therefore, on June 30, 2022, the matter was reassigned to the Commission's ALJ Division for evaluation under Pub. Util. Code Section 1001.

3. The statutory deadline for resolving the issues identified in the Scoping Memorandum and Ruling is August 11, 2023.

4. An extension of the statutory deadline to February 11, 2024, is necessary to allow the assigned ALJ, the assigned Commissioner and Communications Division staff time to prepare and review a Proposed Decision and to ensure that the Commission has sufficient time thereafter to deliberate and to issue its final decision addressing the Proposed Decision.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code Section 1701.5(a), the statutory deadline should be extended to February 11, 2024.

IT IS ORDERED that the statutory deadline in this proceeding is extended until February 11, 2024.

This order is effective today.

Dated _____, at San Francisco, California.